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Local property owners prepare for legal scuffle

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By Amy Jo Johnson
TIMES WRITER

A group of citizens fighting for the right to groom their beaches is trying to build up a war chest to take on the United States government.

Save Our Shoreline Inc. is asking its estimated 600 members, dotting the coastline from Caseville to Au Gres, to contribute \$500 each toward a defense fund.

Meanwhile, two Bangor Township property owners who have been singled out in federal lawsuits for grooming their beaches are working toward some kind of settlement with the government.

Ernie Krygier, president of Save Our Shoreline, said the nonprofit group is asking people who are concerned about their property rights to help fund future legal action.

"We want to be able to take them (the government) to court, but to do that we'll need money to hire attorneys to fight for our rights," Krygier said.

SOS has not agreed to represent or pay for anyone's individual legal battle. Instead, the group has raised \$80,000 toward a \$200,000 goal to develop a legal brief for use by those caught up in beach lawsuits.

The U.S. Army Corps of Engineers is telling property owners

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that they cannot disturb the sand or weeds in former lake bottomlands now exposed along the Saginaw Bay because of lower water levels. They say the weeds are emergent wetlands that prevent erosion, clean the water and provide a habitat to fish, water fowl and other animals. Local waterfront property owners argue that they have groomed their beaches for years and have a right to enjoy their land without government interference.

The two Bangor Township property owners named in lawsuits for illegally moving sand on their beaches still have cases pending in U.S. District Court, but it appears settlements may be in the works. If an agreement isn't reached, the government could charge them with fines of up to \$25,000 per day for disturbing the beaches.

Geneva Halliday, assistant U.S. attorney in Detroit, said a consent decree or settlement would have to be signed by the judge and that has not happened. "There is no resolution," she said.

However, William E. Leiteritz, physical scientist with the U.S. Army Corps of Engineers in Essexville, alluded to a compromise before refusing to discuss the particulars of any potential agreement.

"I don't know if the judge has signed them, so I don't know if they're official," he said.

Krygier said he had heard that Charles Groya had reached a settlement for maintaining his beach at 741 Bay Road. He was unsure if John Stuart, of 57 Bay Shore Drive, had struck a deal with federal litigators.

Groya and Stuart declined to comment and refused to say if they had a settlement pending when they were contacted this week by The Times.

- Amy Jo Johnson covers Bay County townships and cities for The Times. She can be reached at 894-9637.

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